**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO. 1752 OF 2006**

Siraj Ahmed Karamtullah
Shaikh & Anr. .. Petitioners.

vs.

The State of Maharashtra
& Ors. .. Respondents.

Shri K.R. Tiwari with R. K. Pandey i/by M/s. K.R. Tiwari & Co. for Petitioners.

Smt. S.D. Shinde, APP., for State.

**CORAM : J.N. PATEL, AND**
**SMT. ROSHAN DALVI, JJ.**
**DATE : 24th August, 2006.**

P.C.

. Heard.

2. The petitioners have come before this Court aggrieved by the inaction on the part of the police for not preventing his brothers and mother from disturbing his business which he is running in the name of Apsara Hair Dressers. It is the grievance of the petitioners that they go and collect the money and inspite of complaint being filed the police have certified it as NC complaint.

3. It is rather the case of the petitioners that they have filed a civil suit in the City Civil Court and there is an order of status quo in their favour. If that is so, it would be proper that the petitioners who are the plaintiffs in the civil suit should approach the Civil Court and seek police protection in order to enjoy the property pursuant to the interim order passed by the City Civil Court of the nature of status quo as this Court would not be able to direct the police to get a bond of any nature executed from the other side as contended by the learned counsel for the petitioners. Mr. Tiwari, the learned counsel appearing for the petitioners submits that in view of the observations of the Court he may be permitted to withdraw the petition with liberty to approach the Civil Court for appropriate relief. Petition permitted to be withdrawn with liberty. Petition is dismissed as withdrawn.

**(J.N. Patel, J.)**

**(Smt. Roshan Dalvi, J.)**